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Attorneys for Plaintiffs
NAUTILUS HYOSUNG AMERICA, INC. and
NAUTILUS HYOSUNG INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NAUTILUS HYOSUNG AMERICA, INC. and
NAUTILUS HYOSUNG INC.,

Plaintiffs,

v.

HANTLE, INC. (fka Hantle USA, Inc.),
GENMEGA, INC. (fka Huin, Inc.),
WON GEE LEE, and MYUNG WON SUH,

Defendants.

Case No. CV-10-2160-SBA (NJV)

**STIPULATED REQUEST TO
MODIFY CASE MANAGEMENT
SCHEDULE AND ORDER**

Local Rule 7-1(b)

Judge: Hon. Sandra B. Armstrong

WHEREAS, the Court previously granted Plaintiffs' motion to extend the fact discovery cut-off date until May 18, 2012 and to make related adjustments to other dates, given that the parties have been discussing settlement and agreed to defer discovery so as to avoid incurring litigation costs that would be unnecessary if the case is settled (Dkt. 173);

WHEREAS, the parties have exchanged several drafts of settlement agreements and believe that they will be able to sign a final settlement agreement within the next several weeks;

1 WHEREAS, the parties have agreed to continue to defer discovery so as to avoid
2 incurring litigation costs that would be unnecessary if the case is settled;

3 WHEREAS, the parties have agreed that the discovery cut-off and expert disclosure dates
4 should be vacated, so they will not need to engage in discovery while finalizing the settlement;

5 WHEREAS, the parties have agreed that it is premature to set new dates now since this
6 depends on future developments, and there will be no need to set new dates if the settlement is
7 finalized;

8 WHEREAS, the following extensions have been requested and granted in this case:

- 9 • The parties filed a stipulated request to extend the time to file a stipulation or motion
10 regarding the filing of the Second Amended Complaint by one week (Dkt. 49), which
11 was granted by the Court (Dkt. 52);
 - 12 • The parties filed a stipulated request to extend the time for Defendants Won Gee Lee
13 and Myung Won Suh to answer the Second Amended Complaint (Dkt. 67); after
14 Myung Won Suh filed his Answer at the stipulated time, the parties filed a further
15 stipulated request to extend the time for Won Gee Lee to file his answer (Dkt. 76),
16 which the Court granted (Dkt. 77);
 - 17 • Plaintiffs filed an unopposed motion seeking a five day extension to submit a joint
18 letter brief concerning whether the Answer of Defendant Won Gee Lee should remain
19 under seal in view of the Court's Order granting in part and denying in part
20 Defendants' Motion for a Protective Order (Dkt. 107), which the Court granted (Dkt.
21 108);
 - 22 • Plaintiffs filed a motion to modify the Case Management Schedule on March 20, 2012
23 (Dkt. 168), which this Court granted on March 26, 2012 (Dkt. 173)
 - 24 • The Court granted the parties' stipulated request to extend the deadline for conducting
25 the ENE Session (Dkt. 74, 87); and
 - 26 • The Court granted the parties' three stipulated requests to extend the deadline for
27 amending pleadings (Dkt. 137, 139, 142).
- 28

1 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed by and between the
 2 parties, pursuant to Local Rule 7-1(b) and subject to the Court's approval, that the cut-off dates
 3 for fact and expert discovery and for expert disclosures are vacated. Within four weeks of the
 4 date that this Stipulation is approved by the Court, the parties shall either file a stipulated request
 5 to terminate this action in view of a final settlement agreement among them, or shall submit a
 6 Joint Status Report advising the Court on proposed adjustments to the case management schedule.

7 In addition to stipulating to the above, I, Grant L. Kim, attest that concurrence in the filing
 8 of this Stipulation has been obtained from Matthew H. Poppe, Counsel for Defendants Hantle,
 9 Inc., Won Gee Lee, and Myung Won Suh, and from Michael Li-Ming Wong, Counsel for
 10 Defendant Genmega, Inc.

11 Dated: May 17, 2012

ADAM A. LEWIS
 GRANT L. KIM
 ALISON M. TUCHER
 BARBARA N. BARATH
 MORRISON & FOERSTER LLP

12 By: /s/ Grant L. Kim
 Grant L. Kim

13 Attorneys for Plaintiffs
 14 NAUTILUS HYOSUNG, INC.
 15 NAUTILUS HYOSUNG AMERICA,
 16 INC.
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1 Dated: May 17, 2012

MICHAEL LI-MING WONG
THAD A. DAVIS
ROCKY C. TSAI
ROPES & GRAY LLP

2
3
4 By: /s/ Rocky C. Tsai [as authorized]
Rocky C. Tsai

5 Attorneys for Defendant
6 GENMEGA, INC.

7 Dated: May 17, 2012

MATTHEW H. POPPE
KRISTIN S. CORNUELLE
SARAH C. MARRIOTT
JACOB A. SNOW
ORRICK, HERRINGTON & SUTCLIFFE
LLP

8
9
10 By: /s/ Sarah C. Marriott [as authorized]
Sarah C. Marriott

11 Attorneys for Defendants
12 HANTLE, INC. [fka Hantle USA, Inc.]
13 WON GEE LEE
14 MYUNG WON SUH

15 **Order**

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17 Dated:5/18/12

18 By: 
U.S. District Court Judge